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EXAMINER

SALCE, JASON P

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Continuation of Item 11 from Advisory**

Applicant argues that the plurality of commercial information for a single program can be successively displayed with being shifted temporally is not taught by Schein. Applicant notes that since the claim limitation states that the commercial information is **successively displayed with being shifted temporally** that this strictly suggests that the commercial information is successively displayed one after another in time. Applicant further notes that these limitations are defined in Paragraph 0138, however, this Paragraph only states the claim limitation verbatim and provides no further definition to the meaning of the terms displayed successively, shifted temporally from one another. Therefore, the Examiner has referred to the dictionary definitions of these terms, where successively is defined as "following in order" and temporally is defined as "pertaining to time".

The Examiner disagrees that the claim limitations "**successively displayed with being shifted temporally**" requires that the commercial information be displayed "**one after another in time**". The Examiner notes that these claim limitations are broad enough to read on the Schein reference, wherein the menu items 2-3 and 5-6 are successively displayed in a vertical sequence, thereby "following in order", and are shifted temporally by displaying the menu items 2-3 and 5-6 at 7:48, thereby "pertaining to time".

Even if the Examiner was consistent with Applicant's interpretation of the claim limitations "**successively displayed with being shifted temporally**", further note

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Figures 21D-21F, which further shows overlay windows to the viewer containing additional commercial information items for the same NFL television program, that are displayed in sequence (**successively**) and shifted temporally (**pertaining to time by allowing the user to access the next menu at a different time**).